

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Klaus HUGL et al.

Application No.: New Application

Filed: December 11, 2003

Attorney Dkt. No.: 59643.00329

For: DETERMINING TRANSMIT DIVERSITY ORDER AND BRANCHES

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

December 11, 2003

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each item is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- ☒ 1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.
- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a

foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☐ c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Counsel's Deposit Account No. 50-2222 as needed to ensure consideration of the disclosed information.

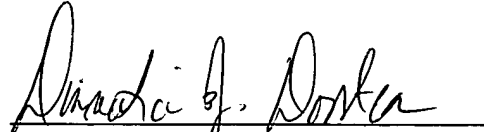
☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Counsel's Deposit Account No. 50-2222 as needed to ensure consideration of the disclosed information.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in any communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

In the event that there are any fees due with respect to the filing of this paper, please charge Counsel's Deposit Account No. 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dinnatia J. Doster", written over a horizontal line.

Dinnatia J. Doster

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Enclosures: PTO-1449 Form; 1 Reference

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT  <i>(Use several sheets if necessary)</i>	ATTY. DOCKET NO.	SERIAL NO.
	59643.00329	New Application
	APPLICANT	
	Klaus HUGL et al.	
	FILING DATE	GROUP
	December 11, 2003	Unassigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	<u>TRANSLATION</u>		
							YES	NO	PART.
	AG								
	AH								
	AI								
	AJ								
	AK								

OTHER REFERENCES *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AL	Werner Weichselberger and Klaus Hugl, "Optimum Power Allocation for Transmit Diversity in Mobile Communications," Proc. IEEE ICT, 2003
	AM	
	AN	
EXAMINER		DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.